

# City Council Agenda

Council President  
Steve Brandau

Councilmembers

Oliver L. Baines III – Acting President  
Lee Brand  
Paul Caprioglio

Clinton J. Olivier  
Sal Quintero  
Blong Xiong

City Manager  
Bruce Rudd

City Clerk  
Yvonne Spence, CMC

City Attorney  
Douglas T. Sloan

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2<sup>nd</sup> Floor, 2600 Fresno Street, Fresno CA 93721.

## January 30, 2014

### 1:00 P.M. ROLL CALL

Invocation by Pastor Kevin Foster of LifeBridge Community Church

Pledge of Allegiance to the Flag

### Ceremonial Presentations:

Swearing in of Kerri Donis as the new Fire Chief – City Manager's Office

Proclamation of "FRESNO ECONOMIC OPPORTUNITIES COMMISSION LOCAL CONSERVATION CORPS DAY" – Acting President Baines

The agenda and related staff reports are available on ([www.fresno.gov](http://www.fresno.gov)) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Comcast Channel 96 and AT&T Channel 99 from 8:30 a.m. and re-played beginning at 8:00 p.m.

**PROCESS:** For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

No documents shall be accepted for Council review unless they are submitted to the City Clerk at least 24 hours prior to the Council Agenda item being heard.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of [January 16, 2014](#)

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time allows.

A. [Actions pertaining to for a hangar facility located at Fresno Chandler Executive Airport \(FCH\) – Airports Department](#)

1. Adopt a finding of categorical exemption pursuant to Article 19, Section 15301 (a)(d) / Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines to authorize a lease with Aerial Solutions Incorporated at Fresno Chandler Executive Airport (FCH) (***Property located in District 3***)

**Action Taken:**

2. Authorize the Director of Aviation to execute a lease between the City and Aerial Solutions Incorporated for a hangar facility located at Fresno Chandler Executive Airport (FCH) for an estimated total revenue of \$48,000

**Action Taken:**

1. **CONSENT CALENDAR CONTINUED**

- B. Authorize the Director of Aviation to execute Amendment No. 5 between City of Fresno and ERM-West, Inc. to provide on-going engineering, environmental and remedial actions concerning ground water contamination emanating from Fresno Yosemite International Airport for an amount not to exceed \$288,000 – Airports Department  
**Action Taken:**
- C. Approve the reappointments of Steven Bedrosian to the Fresno Housing Authority, and Grace Gomes and Vonnies Franks to the Fresno-Madera Area Agency on Aging – Mayor's Office  
**Action Taken:**
- D. Authorize Amendment No. 1 to the agreement between the City of Fresno and Diversified Transportation, LLC (DBA Keolis Transit America) – Transportation Department  
**Action Taken:**
- E. **BILL – (For introduction)** - Amending the Fresno Municipal Code (FMC) Section 3-277 to exempt future employees in Unit 14, represented by the City of Fresno Management Employees Association (CFMEA) from provisions regarding Reduction In Force/Layoff Rights – Personnel Services Department  
**Action Taken:**
- F. **RESOLUTION – Approving the Friant Water Authority Joint Powers Agreement**  
1. Appoint the City of Fresno Mayor and Mayor's designee(s) as Joint Powers Authority members - Department of Public Utilities  
**Action Taken:**
- G. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by Jenco Farms, L.P., a California Limited Partnership, for the installation of street improvements at the northeast corner of Riverside Drive and Herndon Avenue - Public Works Department  
**Action Taken:**
- H. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by US Property Investors Group, LLC, for the installation of street improvements at the northwest corner of Riverside Drive and Herndon Avenue - Public Works Department  
**Action Taken:**
- I. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by Herndon, LLC, a California Limited Liability Company, for the installation of a street improvements at the southeast corner of Riverside Drive and Herndon Avenue - Public Works Department  
**Action Taken:**
- J. Approve a Cooperative Agreement for a maximum City contribution of \$82,800 with the County of Fresno to perform an asphalt concrete overlay of Jensen Avenue from approximately Sunland Avenue to Maple Avenue - Public Works Department  
**Action Taken:**

1. **CONSENT CALENDAR CONTINUED**

- K. **RESOLUTION** - Approving the summary vacation of a portion of Allen Avenue and Shepard Street located at the southeast corner of W. Herndon Avenue and N. Riverside Drive - Public Works Department  
**Action Taken:**
- L. **RESOLUTION** - Dedicating portions of City-owned property for public street pedestrian walkway and bicycle path, and slope purposes, located on both sides of W. Herndon Avenue southwest of N. Weber Avenue - Public Works Department  
**Action Taken:**
- M. Approve the acquisition for public street and storm drainage easements and a temporary ponding basin from a portion of six (6) parcels (APN 504-080-83, APN 504-080-85, APN 504-080-90, APN 504-080-91, APN 504-080-96 and APN 504-080-97) of property owned by Maxine Elkin, Regina Fagundes, Theresa Darlene Rose and the estate of Joseph H. Dalena for the installation of two (2) streets, construction of a median island, curb and gutter, walking trails and a temporary ponding basin at the intersection of Riverside Drive and Veterans Boulevard - Public Works Department  
**Action Taken:**
- N. Approve the first amendment to the Measure "C" Cooperative Agreement for Short-term Regional Transportation Program Project "K5A" - Urban, Herndon Avenue widening, in the amount of \$108,200 (Brawley Avenue to Valentine Avenue) - Public Works Department  
**Action Taken:**
- O. Approve a Cooperative Agreement in substantially the form attached, and in the amount of \$456,250 with the Fresno County Transportation Authority (FCTA) for the Broadway-Fulton Alley Improvements from Calaveras Street to San Joaquin Street under the Measure "C" Transit Oriented Development Program - Public Works Department  
**Action Taken:**
- P. Approve a Cooperative Agreement in substantially the form attached, and in the amount of \$63,000 with the Fresno County Transportation Authority (FCTA) for the Broadway-Fulton Alley Improvements from San Joaquin Street to Amador Street under the Measure "C" Transit Oriented Development Program – Public Works Department  
**Action Taken:**
- Q. Approve a Cooperative Agreement in substantially the form attached and in the amount of \$89,680 with the Fresno County Transportation Authority (FCTA) for Storm Drain Improvements on "L" Street from Calaveras Street to San Joaquin Street under the Measure "C" Transit Oriented Development Program  
**Action Taken:**
- R. Annual update of Priority Ranking Lists for new traffic signal installations and traffic signal left turn phasing - Public Works Department  
**Action Taken:**

## **CONTESTED CONSENT CALENDAR**

### **2. GENERAL ADMINISTRATION**

- A. **RESOLUTION** - Authorizing the submission of applications for grant funding for the proposed Fulton Mall Reconstruction Project from the Fresno County Measure "C" Transit Oriented Development (TOD) Program and authorizing the execution of application-related documents by the City Manager or designee – City Manager's Office  
**Action Taken:**
- B. Authorize the Director of Aviation to execute a management contract for the operation and management of parking facilities at Fresno Yosemite International Airport, between the City of Fresno and Standard Parking Corporation, a Delaware Corporation for a total potential cost of \$1,961,858 (***Property located in District 4***) – Airports Department  
**Action Taken:**
- C. \* **RESOLUTION** – Adopting a policy authorizing the City Manager the authority to reduce and/or eliminate selected Citywide impact fees for industrial development projects that create new jobs, increase assessed property valuation, and promote economic development - Council Districts 2, 5 and 7  
**Action Taken:**
- D. **BILL – (*For introduction*)** - Amending Subsections (c and d) of Section 7-903 and Subsection (b) of Section 7-910 of the Fresno Municipal Code relating to write off and settlement authority – City Manager's Office  
**Action Taken:**
- E. \* **RESOLUTION** – 3<sup>rd</sup> amendment to Salary Resolution 2013-101 adding the classifications of Development Services Coordinator, Housing Rehabilitation Specialist and Energy Efficiency Supervisor; and modify the established Unit for Chief Police Pilot – Personnel Services Department  
**Action Taken:**
- F. Actions pertaining to the rehabilitation of downtown sewer system on Kern Street and Fulton Alleys (***Property located in District 3***) – Department of Public Utilities
1. Adopt a Finding of Class 1 and 2 Categorical Exemptions, pursuant to Section 15301(b) (Existing Facilities) and 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines  
**Action Taken:**
  2. Award a construction contract in the amount of \$694,562.50 to Repipe-California of Riverside, California  
**Action Taken:**

## 2. **GENERAL ADMINISTRATION CONTINUED**

### G. **Actions pertaining to Memorandum of Understanding (MOU) between the City of Fresno (City) and the International Association of Fire Fighters, Local 753 - Unit 5 (Fire Basic) – Personnel Services Department**

1. \* Adopt the (MOU) between the City of Fresno (City) and the International Association of Fire Fighters, Local 753 - Unit 5 (Fire Basic), covering the period August 5, 2013 through June 30, 2016 and the accompanying Pension Meet and Confer Agreement  
**Action Taken:**
2. \* Adopt the (MOU) between the City of Fresno (City) and the International Association of Fire Fighters, Local 753 - Unit 10 (Fire Management), covering the period August 5, 2013 through June 30, 2016 and the accompanying Pension Meet and Confer Agreement  
**Action Taken:**
3. \* **RESOLUTION** – 2nd amendment to Salary Resolution No. 2013-101 amending salaries in Exhibit 10, Fire Management  
**Action Taken:**

## 3. **CITY COUNCIL**

## 4. **CLOSED SESSION**

### A. **CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6 **City Negotiator(s):** Bruce Rudd, Jeffrey Cardell **Employee Organization(s):**

1. International Association of Firefighters, Local 753 (Fire Basic)
  2. International Association of Firefighters, Local 753 (Fire Management)
- Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

**10:00 A.M. CONTINUED PUBLIC HEARING** to consider increasing water connection fees **(Citywide)** – Department of Public Utilities **(Continue to March 27, 2014 at 10:00 a.m.)**  
**Action Taken:**

**10:15 A.M. Adopt City of Fresno Design Guidelines for the California High Speed Rail Project (Property located in Districts 1, 2 & 3)** – Public Works Department **(Continue to February 6, 2014 @ 10:15 a.m.)**  
**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**10:40 A.M. HEARING** to consider Plan Amendment Application No. A-13-03, Rezone Application No. R-13-09 and Environmental Assessment No. A-13-03/R-13-09/C-13-086, filed by Bryan Sassano of S.I.M. Architects, on behalf of Spencer Enterprises pertaining to approximately 9.99 acres of property located on the northeast corner of E. Nees and N. Chestnut Avenues (2610 E Nees. Avenue APN: 403-070-53) **(Property located in District 6) – Development and Resource Management Department (Continue to February 6, 2014 at 5:00 p.m.)**

**Action Taken:**

- a. Consider the environmental finding of Environmental Assessment (EA) No. A-13-003/R-13-009/C-13-086, a finding of a Mitigated Negative Declaration dated November 22, 2013

**Action Taken:**

- b. **RESOLUTION** – Approving Plan Amendment Application No. A-13-003 to amend the 2025 Fresno General Plan and the Woodward Park Community Plan from the neighborhood commercial planned land use designation to the medium-high density residential land use designation

**Action Taken:**

- c. **BILL – (For introduction and adoption)** - Amending the Official Zone Map to reclassify the subject property from the C-1/UGM (*Neighborhood Shopping Center/Urban Growth Management*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district

**Action Taken:**

**5:00 P.M. Actions pertaining to the Bus Rapid Transit Project – City Manager's Office**

- a. Adopt the Bus Rapid Transit Subsequent Environmental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

**Action Taken:**

- b. Award an agreement to Provost and Pritchard in the amount of \$325,811 for plan check services on the construction documents for the Bus Rapid Transit (BRT) Project

**Action Taken:**

- c. Award a contract in the amount of \$1,381,288 to Parsons Brinkerhoff, Inc. (PB) for the Bus Rapid Transit (BRT) Project Management Services

**Action Taken:**



## SCHEDULED COMMUNICATION –

**PLEASE NOTE: UNSCHEDULED COMMUNICATIONS IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING**

**UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

## UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

<b>Feb. 6 - 10:15 A.M.</b>	Adopt City of Fresno Design Guidelines for the California High Speed Rail Project
<b>Feb. 6 - 5:00 P.M.</b>	<b>CONTINUED HEARING</b> to consider Plan Amendment Application No. A-13-03, Rezone Application No. R-13-09 and Environmental Assessment No. A-13-03/R-13-09/C-13-086, filed by Bryan Sassano of S.I.M. Architects, on behalf of Spencer Enterprises pertaining
<b>Feb. 13 – 10:00 A.M.</b>	<b>WORKSHOP</b> regarding recycling
<b>Feb. 27 – 10:00 A.M.</b>	<b>HEARING</b> re: Plan Amendment Nos. A-13-004 and A-13-005, Rezone Application Nos. R-13-11 and R-13-12, filed by Brent McCaffrey
<b>Feb. 27 – 10:10 A.M.</b>	<b>HEARING</b> re: Plan Amendment No. A-13-006, Rezone Application No. R-13-013, filed by Brent McCaffrey
<b>Mar. 27 - 10:00 A.M.</b>	<b>CONTINUED PUBLIC HEARING</b> to consider increasing water connection fees ( <b>Citywide</b> ) – Department of Public Utilities

## UPCOMING EMPLOYEE CEREMONIES

<b>Feb. 6 -</b>	<b>8:30 a.m.</b>	Employee of the Winter Quarter ( <i>Reception immediately following – 2<sup>nd</sup> floor foyer</i> )
<b>Apr. 9 - (Weds)</b>	<b>2:00 p.m.</b>	Presentation of Employee Service Awards ( <i>Reception immediately following – 2<sup>nd</sup> floor foyer</i> )
<b>Apr. 24 -</b>	<b>8:30 a.m.</b>	Employee of the Spring Quarter ( <i>Reception immediately following – 2<sup>nd</sup> floor foyer</i> )
<b>July 31 -</b>	<b>8:30 a.m.</b>	Employee of the Summer Quarter ( <i>Reception immediately following – 2<sup>nd</sup> floor foyer</i> )
<b>Oct. 2 -</b>	<b>8:30 a.m.</b>	Employee of the Fall Quarter ( <i>Reception immediately following – 2<sup>nd</sup> floor foyer</i> )
<b>Oct. 22 - (Weds)</b>	<b>2:00 p.m.</b>	Presentation of Employee Service Awards ( <i>Reception immediately following – 2<sup>nd</sup> floor foyer</i> )